

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed January 16, 2004. Upon entry of the amendments in this response, claims 2, 4 – 9, and 20 – 31 remain pending. In particular, Applicants have added claims 22 - 31, have amended claims 2, 6 – 9, and 20 – 21, and have canceled claims 1, 3 and 10 - 19 without prejudice, waiver, or disclaimer. Applicants have canceled claims 1, 3 and 10 - 19 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Rejections Under 35 U.S.C. §102

The Office Action indicates that claims 1 - 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Camara*. As set forth before, Applicants have canceled claims 1, 3 and 10 - 19 and respectfully assert that the rejection as to these claims has been rendered moot. With respect to the remaining claims, Applicant respectfully traverses the rejection for at least the reasons indicated below.

Respectfully referring the Examiner's attention to *Camara*, that reference involves a computer-implemented image acquisition system. As identified in the Office Action,

Camara illustrates a plurality of image acquisition devices (See FIG. 4). When the user selects one of these devices, such as the scanner, the selected device is shown in FIG. 5, wherein associated functional menus are also shown. These functions or menus will enable the user to format and alter the display image retrieved from the device (e.g., scanner) (Col. 5, lines 5 – 67).

Applicants respectfully agree with this general characterization of *Camara*, to the extent that *Camara* generally involves acquiring image data and then enabling a user to modify the format of the image data after acquisition. As set forth in detail in the following discussion, Applicants have amended the claims and respectfully assert that the claims are in condition for allowance.

Referring now to the claims, independent claim 22 recites:

22. An imaging system comprising:
an intent-based image acquisition system configured to provide intent-based selections to a user and receive digital image data corresponding to a captured image; and
an image-capturing device communicatively coupled to said intent-based image acquisition system;
wherein, in response to the user selecting one of the intent-based selections, the image-capturing device captures an image as digital image data in a format corresponding to the one of the intent-based selections; and
wherein said intent-based image acquisition system is further configured to enable modification of said format responsive to a user input such that the format at which the image is captured is modifiable by the user.
(Emphasis Added).

Applicants respectfully assert that *Camara* does not teach, disclose or reasonably suggest, at least the features emphasized above in claim 22. Specifically, *Camara* appears to involve modification of image data after that image data has been acquired. In contrast, Applicants claim 22 recites, in pertinent part, “ . . . modification of said format responsive to a user input such that the format at which the image is captured is modifiable by the user.” Therefore, Applicant respectfully assert that *Camara* is legally deficient for the purpose of anticipating and/or rendering obvious claim 22. Since claims 2, 4 – 9 and 23 – 24 are dependent claims that incorporate all the features/limitations of claim 22, Applicants respectfully assert that these claims also are in condition for allowance.

Claim 25 recites:

25. A method for providing image data to a user comprising:
providing intent-based selections to the user, each of the intent-based
selections associated with an intended use of digital image data corresponding
to a captured image;
*in response to the user selecting one of the intent-based selections,
capturing digital image data in a format corresponding to the one of the
intent-based selections; and*
*in response to a user input, modifying the format at which digital
image data is to be captured in response to the user selecting the one of the
intent-based selections.*
(Emphasis Added).

Applicants respectfully assert that *Camara* does not teach, disclose or reasonably suggest, at least the features emphasized above in claim 25. Therefore, Applicant respectfully assert that *Camara* is legally deficient for the purpose of anticipating and/or rendering obvious claim 25. Since claims 26 – 28 are dependent claims that incorporate all the features/limitations of claim 25, Applicants respectfully assert that these claims also are in condition for allowance.

Claim 29 recites:

29. A computer readable medium having a computer program for providing image data, said computer readable medium comprising:
logic configured to provide intent-based selections to the user, each of the intent-based selections associated with an intended use of digital image data corresponding to a captured image;
*logic configured to capture digital image data in a format
corresponding to one of the intent-based selections in response to the user
selecting the one of the intent-based selections; and*
*logic configured to modify the format at which digital image data is
to be captured in response to the user selecting the one of the intent-based
selections in response to a user input.*
(Emphasis Added).

Applicants respectfully assert that *Camara* does not teach, disclose or reasonably suggest, at least the features emphasized above in claim 29. Therefore, Applicant respectfully assert that *Camara* is legally deficient for the purpose of anticipating and/or rendering obvious claim 29. Since claims 20, 21, 30 and 31 are dependent claims that incorporate all

the features/limitations of claim 29, Applicants respectfully assert that these claims also are in condition for allowance.

Cited Art Made of Record

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 2, 4 – 9 and 20 - 31 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



M. Paul Qualey, Jr., Reg. No. 43, 024
Attorney for Applicant
(770) 933-9500

IP Administration
Legal Department, M/S 35
Hewlett-Packard Company
P.O. Box 272400
Fort Collins, CO 80527-2400

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 3/9/04.

Stephanie Riley
Signature